

10-21-04

IFW



Application/Control Number: 10/654,408

OFFICE ACTION RESPONSE

Art Unit: 3632

October 20, 2004

page 1 of 3

**U. S. PATENT AND TRADEMARK OFFICE
RESPONSE TO OFFICE ACTION**

Oct. 20, 2004

TO: **Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450**

**VIA EXPRESS MAIL
ER 375073818 UG**

Attn: Anita M. King, Examiner Art Unit: 3632

RE: Application/Control Number 10/654,408

Submitted in response to Office Action dated 09/22/2004

Filed: 9/3/2003

Applicant: Leonard A. Duffy and Robert B. Duffy

Title: FOLDING CANTILEVER SUPPORT AND METHOD

THIS RESPONSE INCLUDES THE FOLLOWING:

Election of Species

Listing of Claims Readable on Elected Species

Discussion

Election of Species

Applicant elects Species I, Figs. 1-1D for prosecution on the merits

Claims Readable on Elected Species

Claims 1, 3, 12, 13, 16, 17 are readable on the elected Species I.

It should be noted that various aspects illustrated in other figures may also be optionally applied to Species I as noted in paragraph 3, page 15. For instance, the device of Fig. 1 may be designed to also include: a generally horizontal platform as in Claim 2; an angular adjustment mechanism as in Claims 6, 7, 8, 9, 10; an attached load as in Claim 14; an integrated load as in Claim 15; a method including an attached or integrated load as in Claims 19, 20.

Discussion

Applicant submits that the Elected Species I and Species II-IV are related in at least the following respects:

1. Species I-IV share a generally common function in that each provides at least a cantilevered support extending from a generally horizontal extant structure for a load applied beyond the edge of such extant structure, without requiring permanent attachment.
2. Species I-IV share a generally common structure in that each includes at least a bracing portion, a pivotably attached hanging portion, and a platform portion.
3. Species I-IV share a generally common method of supporting a load in a cantilevered disposition in accordance with Claim 16.
4. Species I-IV share a generally common use in that they each may be utilized to support a load in a cantilevered disposition from an extant shelf in accordance with Claim 17.

CONCLUSION

In light of the election and discussion above the applicant submits that the application as amended is in proper form and is now in condition for prosecution on the merits. If for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. 2173.02 and 707.07(j).

Respectfully Submitted this 20th day of October, 2004



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